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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/506,419

09/02/2004

Ole-Bendt Rasmussen

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23873 7590 05/07/2008
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EXAMINER

O HERN, BRENT T

ART UNIT

PAPER NUMBER

1794

MAIL DATE

DELIVERY MODE

05/07/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/506,419	Applicant(s) RASMUSSEN, OLE-BENDT	
	Examiner BRENT T. OHERN	Art Unit 1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 37,38,74,75,101-117 and 123-148 is/are pending in the application.
- 4a) Of the above claim(s) 37,38,74,75,101-117 and 123-148 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 123-148 is/are rejected.
- 7) ☒ Claim(s) 142 and 148 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7 April 2008 has been entered.

Claims

2. Claims 37-38, 74-75, 101-117 and 123-148 are pending with claims 37-38, 74-75 and 101-117 withdrawn and claims 123-148 new.

WITHDRAWN OBJECTIONS

3. The objections of record in the Office Action mailed 7 December 2007, page 4, paragraph 8 have been withdrawn due to Applicant's amendments in the Paper filed 7 April 2008.

WITHDRAWN REJECTIONS

4. The 35 U.S.C. 112 rejections of claims 81, 95, 120 and 122 of record in the Office Action mailed 7 December 2007, pages 4-5, paragraphs 9-16 have been withdrawn due to Applicant's amendments in the Paper filed 7 April 2008.

5. The 35 U.S.C. 103 rejections of claims 118-122 of record in the Office Action mailed 7 December 2007, page 6, paragraph 18, as being unpatentable over Rasmussen (WO 01/96102) in view of Rogosch et al. (US 3,687,764) have been withdrawn due to Applicant's amendments in the Paper filed 7 April 2008.

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6. The 35 U.S.C. 103 rejections of claims 118-122, 77, 83, 85, 89, 93 and 96 of record in the Office Action mailed 7 December 2007, page 12, paragraph 19, as being unpatentable over Britton (US 4,454,184) in view of Rasmussen (US 4,039,364) have been withdrawn due to Applicant's amendments in the Paper filed 7 April 2008.

7. The 35 U.S.C. 103 rejection of claim 78 of record in the Office Action mailed 7 December 2007, page 17, paragraph 20, as being unpatentable over Britton (US 4,454,184) in view of Rasmussen (US 4,039,364) and Johnston (US 3,340,128) have been withdrawn due to Applicant's amendments in the Paper filed 7 April 2008.

8. The 35 U.S.C. 103 rejections of claims 79-82, 86, 90, 94-95, 97-98 and 100 of record in the Office Action mailed 7 December 2007, page 17, paragraph 21, as being unpatentable over Britton (US 4,454,184) in view of Rasmussen (US 4,039,364) and Lappala (US 2,851,389) have been withdrawn due to Applicant's amendments in the Paper filed 7 April 2008.

9. The 35 U.S.C. 103 rejections of claims 87-88, 91-92 and 99 of record in the Office Action mailed 7 December 2007, page 23, paragraph 22, as being unpatentable over Britton (US 4,454,184) in view of Rasmussen (US 4,039,364), Velazquez (US 5,614,297) and Cederblad et al. (US 6,204,207) have been withdrawn due to Applicant's amendments in the Paper filed 7 April 2008.

NEW OBJECTIONS

Specification

10. The specification is objected to as failing to provide **proper antecedent basis** for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The claims 144-146 refer to **color, coloration, colored**, etc.

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with respect to the appearance of the strands. The text of the Specification does not expressly have support for said language. If support is present in the figures then Applicant shall amend the Specification to include the text. If support is not present in the figures or the Specification then said language should be removed from the claims. Applicant is advised to review all claims to be sure textual support is present in the Specification and make any necessary corrections.

Claim Objections

11. Claim 142 is objected to because of the following informalities: the last line of the claim states “the the copolymer”. This appears to be a typo.

12. Claim 148 is objected to because of the following informalities: claim #148 is dependent on itself, claim #148.

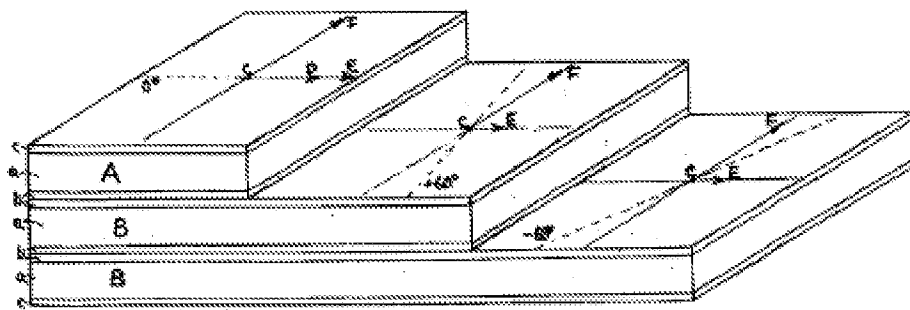
Appropriate correction is required.

NEW REJECTIONS

13. Claims 123-127, 136-137, 143-144 and 147-148 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmussen (WO 01/96102) in view of Rogosch et al. (US 3,687,764) and Britton (US 4,454,184).

Rasmussen (WO 01/96102) teaches a cross-laminate comprising a first coextruded film having a main direction of uniaxial unbalanced biaxial molecular orientation (*See p. 5, ll. 26-31 and FIG-2, cross laminate with multiple layers and sublayers.*)

FIG. 1



The films A and B comprise heat seal layers #c, main layers #a and lamination layers #b, with individual compositions bonded to each other in the laminate as illustrated in FIG-2 as well as bonding of the layers when the layers are wrapped such as in a gusseted tube. Since the layers have different compositions the bonding and adhesive strengths are different. Since some portions of the laminate are bonded at the seam there are regions of some of the laminate substrates that have additional bonding that is not present in other regions (*See p. 2, ll. 42-58 p. 11, l. 25 to p. 12, l. 14, p. 5, ll. 26-31, p. 6, ll. 1-9 and FIG-2. Since Applicant has not defined precisely what is continuous or discontinuous, the Examiner interprets said terms to mean anything such as color, width, length, thickness, surface property, etc..*), however, fails to expressly disclose wherein the various layers are continuous or discontinuous, have strands, and the bonding is different between the various layers and regions within the layer.

However, Rasmussen ('102) teaches where the structure is made into bags, wherein the layers are continuous when wrapped such as with a gusseted tube and as the layers progress to the opening(s) in the gusseted tube until the layers terminate, becoming discontinuous. Each layer clearly has a pattern whether it is substantially the same, including wave-shaped web with stabilized waves (*See p. 8, ll. 28-32.*), within the

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layer or upon the bonded and non-bonded areas with various bonding strengths and the additional layers and or/markings will clearly be applied at various regions in discontinuous and continuous manners to provide for the desired messages (*See p. 6, ll. 1-9.*). Pigments are added to the various compositions providing for further patterns (*See p. 11, l. 25 to p. 12, l. 14.*) for the purpose of providing a pleasing, strong bag for containing the packaged goods (*See p. 6, ll. 1-9.*).

Furthermore, Rogosch ('784) teaches patterned multilayered laminated structures that are reinforced with discontinuous and continuous layers of strands and the bonding is varied based on region and layers to be laminated (*See col. 3, ll. 20-55 and FIGs 1 and 11, strands #18, 20 and 21.*) for the purpose of reinforcing a laminated structure (*See col. 1, ll. 15-26.*).

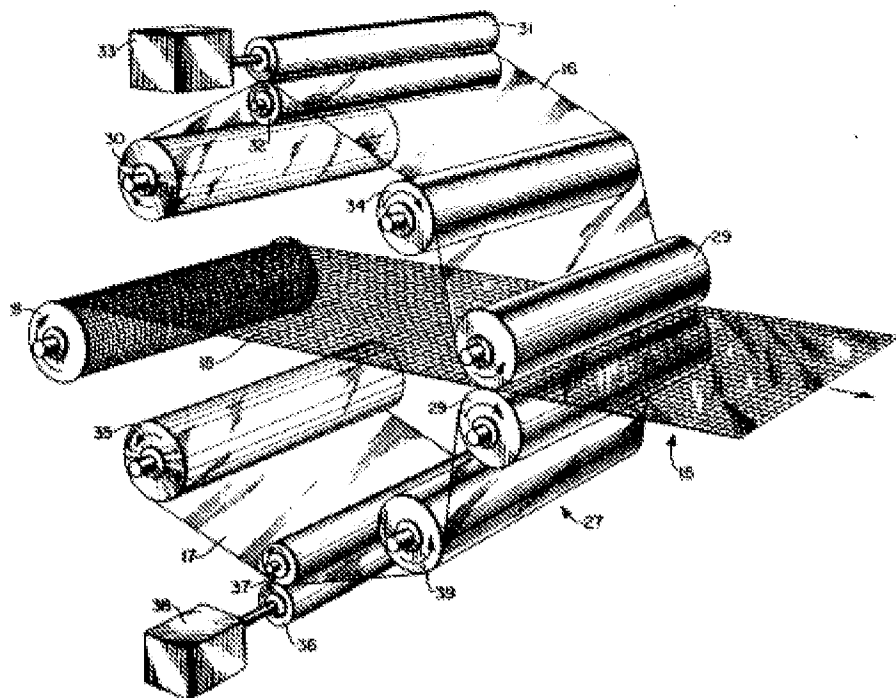


FIG. 1.

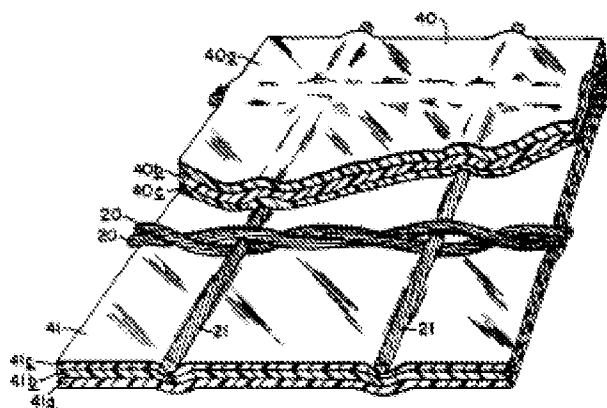
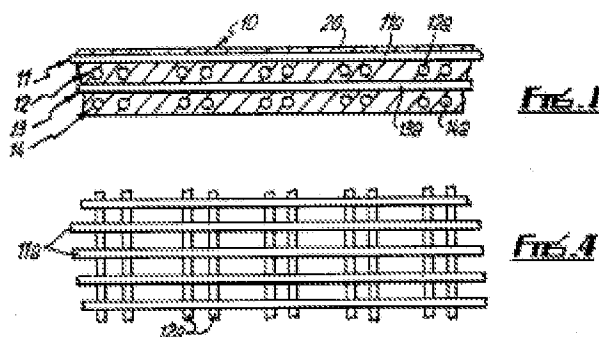


FIG. 11.

Britton (184) teaches multiple layers 3, 4, 5 and 6 with strands #11a, #12a, #13a and #14a that are bonded to each other by adhesive where they cross each other (See *col. 2, ll. 42-58, col. 3, ll. 1-19 and FIGs 4 and 1.*), continuous films having strands of adhesive above and below the strands with different polymers as illustrated in FIGs 4 and 1 where the strands are not a solid sheet thus discontinuous in the direction between the strands and where the adhesive is not discontinuous between the strands as illustrated in FIG-1 for the purpose of providing a strong laminate (See *col. 2, ll. 42-58, col. 3, ll. 1-19*). Furthermore, combining layers with strands in various orientations and bonding is routine for a person having ordinary skill in the art.



Therefore, it would have been obvious to a person having ordinary skill in the art at the time Applicant's invention was made to provide the above structure with a

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discontinuous, continuous and patterned structure as expressly taught by Rogosch ('784) and Britton (184) and obviously taught by Rasmussen ('102) in Rasmussen ('102) in order to provide a strong, pleasing multilayered laminate.

The phrases "adapted to ***" in claim 124, line 3, claim 127, line 2, and claim 143, line 2 do not limit the claims scope since said language **does not limit the claim to a particular structure** (*See MPEP 2111.04*).

For the purposes of searching for and applying prior art under 35 U.S.C. 102 and 103, absent a clear indication in the specification or claims of what the basic and novel characteristics actually are, "**consisting essentially of**" will be construed as equivalent to "comprising". See, e.g., PPG, 156 F.3d at 1355, 48 USPQ2d at 1355 ("PPG could have defined the scope of the phrase consisting essentially of for purposes of its patent by making clear in its specification what it regarded as constituting a material change in the basic and novel characteristics of the invention."). MPEP 2111.03 Also, If an applicant contends that additional steps or materials in the prior art are excluded by the recitation of "consisting essentially of," applicant has the burden of showing that the introduction of additional steps or components would materially change the characteristics of applicant's invention. In re De Lajarte, 337 F.2d 870, 143 USPQ 256 (CCPA 1964). The "consisting essentially of" language is used in claim 141, line 2 and claim 142, line 6.

14. Claim 128-135 and 141 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmussen (WO 01/96102) in view of Rogosch et al. (US 3,687,764), Britton (US 4,454,184) and Lappala (US 2,851,389).

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Regarding claim 128, Rasmussen (102), Rogosch ('764) and Britton ('184) teach the laminate discussed above, however, fail to expressly disclose where a collective area of the film A strands and film B strands comprises no more than 60% of a surface area of their respective film sides.

However, Lappala ('389) teaches that any suitable diameter strand may be used (*See col. 2, l. 45, any suitable diameter can be used.*), which clearly changes the above area ratio. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to select a strand with a diameter that provides the above area ratio as taught by Lappala ('389) for the purpose of providing a laminate that is light and strong (*See col. 1, ll. 25-28.*).

Regarding claims 129-130, Rasmussen (102), Rogosch ('764) and Britton ('184) teach the laminate discussed above, however, fail to expressly disclose wherein a thickness increase of the films A and B at their respective strand locations is at most 20%/(10%) of a film thickness of the films A and B in adjacent regions of the films A and B devoid of their respective discontinuous layers.

However, Lappala ('389) teaches that any suitable diameter strand may be used (*See col. 2, l. 45, any suitable diameter can be used.*), which clearly changes the thickness increase. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to select a strand with a diameter that provides the above thickness increase as taught by Lappala ('389) for the purpose of providing a laminate that is light and strong (*See col. 1, ll. 25-28.*).

Regarding claims 131-133, Rasmussen (102), Rogosch ('764) and Britton ('184) teach the laminate discussed above, however, fail to expressly disclose wherein a

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volume of the film A strands and the film B strands is not greater than 15%/(10%)/(5%) of a volume of their respective films.

However, Lappala ('389) teaches that any suitable diameter strand may be used (*See col. 2, l. 45, any suitable diameter can be used.*), which clearly changes the volume. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to select a strand with a diameter that provides the above volume as taught by Lappala ('389) for the purpose of providing a laminate that is light and strong (*See col. 1, ll. 25-28.*).

Regarding claims 134-135, Rasmussen (102), Rogosch ('764) and Britton ('184) teach the laminate discussed above, however, fail to expressly disclose wherein a distance from a center-to-center of adjacent pairs of strands in each array is between 2 mm and 40 mm/(at the highest 20 mm).

However, Lappala ('389) teaches that any suitable pattern may be used (*See col. 2, l. 49-51, any suitable pattern.*) for the purpose of providing a laminate that is light and strong (*See col. 1, ll. 25-28.*).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to select a suitable pattern that provides the above separation as taught by Lappala ('389) in Rasmussen (102) in order to provide a laminate that is light and strong.

Regarding claim 141, Rasmussen (102), Rogosch ('764) and Britton ('184) teach the laminate discussed above, however, fail to expressly disclose wherein the main layer of each of the two films A and B consists essentially of polyethylene or polypropylene.

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However, Lappala ('389) teaches wherein the main layer of each of the two films A and B is polyethylene (*See col. 2, l. 31 and ll. 66-67.*) for the purpose of providing a laminate that is light and strong (*See col. 1, ll. 25-28.*).

Therefore, it would have been obvious to one having ordinary skill in the art at the time Applicant's invention was made to make polyethylene layers as taught by Lappala ('389) in Rasmussen (102) in order to provide a laminate that is light and strong.

15. Claim 138-140 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmussen (WO 01/96102) in view of Rogosch et al. (US 3,687,764), Britton (US 4,454,184) and Cederblad et al. (US 6,204,207).

Rasmussen (102), Rogosch ('764) and Britton ('184) teach the laminate discussed above, however, fail to expressly disclose wherein an average melting point of the third polymer material and average melting point of the sixth polymer materials are at least about 10°C/(15°C)/(20°C) lower than an average melting point of the first polymer material and an average melting point of the fourth polymer material.

However, Cederblad ('207) teaches where the average average melting point of the polymer material of the layers of the films differ (*See col. 12, ll. 38-53.*) for the purpose of providing firm and light bonds (*See col. 6, ll. 60-67.*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time Applicant's invention was made to provide strands with melting points below that of the films as taught by Cederblad ('207) in Rasmussen (102) in order to produce a laminate with firm and light bonds.

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16. Claim 142 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmussen (WO 01/96102) in view of Rogosch et al. (US 3,687,764), Britton (US 4,454,184), Rasmussen (US 4,039,364), Velazquez (US 5,614,297) and Cederblad et al. (US 6,204,207).

Rasmussen ('102), Rogosch ('764) and Britton ('184) teach the laminate discussed above, and Rasmussen ('364) teaches a laminate wherein the main layers are made from HDPE, LLDPE or a blend of the two (*See col. 13, ll. 3-7.*) and the strands in the first surface layers of the films is selected from a polymer made from a copolymer of ethylene (*See col. 13, ll. 11-30.*), however, fail to expressly disclose wherein the bonding layers comprise LLDPE in admixture with 5 - 25% of a copolymer of ethylene having a melting point or a melting range within the temperature range of 50 - 80 °C, the discontinuous layers comprise a polymer with a copolymer of ethylene having a melting point or a melting range within the temperature range of 50 - 100 °C or a blend of such copolymer and LLDPE containing at least 25% of the copolymer.

However, Velazquez ('297) teaches bonding layers comprising LLDPE in admixture with 5 - 25% of a copolymer of ethylene having a melting point or a melting range within the temperature range of 50 - 80 °C (*See col. 8, ll. 26-47 and col. 3, l. 46.*) for the purpose or providing a film that can be laminated with one or more films (*See col. 6, ll. 13-17.*).

Furthermore, Cederblad ('207) teaches wherein the discontinuous layers comprise a copolymer of ethylene having a melting point or a melting range within the temperature range of 50 - 100 °C (*See col. 12, l. 42 wherein the melting point is 67 °C /152 °F.*) for the purpose of forming firm bonds (*See col. 6, l. 63.*).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time applicant's invention was made to provide a laminate with a surface layer of LLDPE and ethylene with the above melting point range and the above strands as taught by Velazquez ('297) and Cederblad ('207) in Rasmussen ('102) to provide a laminate as described above.

17. Claim 145 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmussen (WO 01/96102) in view of Rogosch et al. (US 3,687,764), Britton (US 4,454,184) and Johnston (US 3,340,128).

Rasmussen (102), Rogosch ('764) and Britton ('184) teach the laminate discussed above, however, fail to expressly disclose wherein the polymer material of the discontinuous layer of at least one of the films A and B comprises a coloration material in an amount, a coloration, or an amount and coloration to form a colored discontinuous layer sufficient to render the colored discontinuous layer visible through at least one side of the cross-laminate.

However, Johnston ('128) teaches where the polymer material of strands of at least one of the arrays comprises coloration material in sufficient amount to render the at least one colored discontinuous layer visible through at least one side of the cross-laminate (*See col. 24, l. 58.*) for the purpose of providing a decorative motif (*See col. 24, ll. 59-60.*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention was made to provide strands with coloration as taught by Johnston ('128) in Rasmussen (102) in order to provide a product having a decorative motif.

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18. Claim 146 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmussen (WO 01/96102) in view of Rogosch et al. (US 3,687,764), Britton (US 4,454,184), Johnston (US 3,340,128) and Lappala (US 2,851,389).

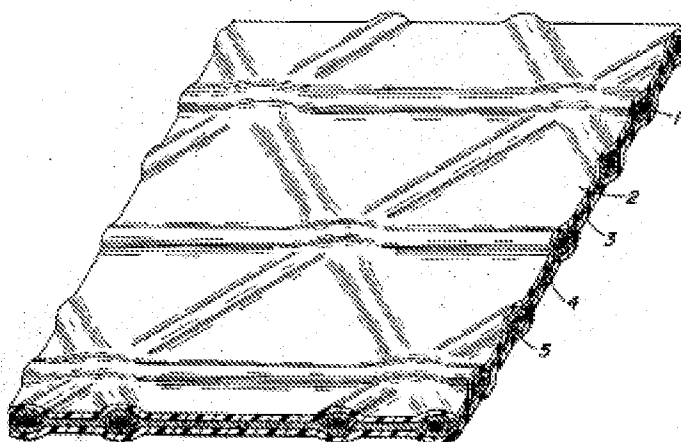
Rasmussen (102), Rogosch ('764), Britton ('184) and Johnston ('128) teach the laminate discussed above, however, fail to expressly disclose wherein the cross-laminate has a thickness at its thickest of about 0.3 mm, and: wherein an exterior surface of the film A is corrugated to form a visible pattern of striations extending in one direction, where a spacing of the striations being at most about 3 mm: the main layer and the bonding layer of the film A are substantially transparent to enable the colored strands to be visible when the laminate is observed from one of the exterior surfaces of the cross-laminate, and a depth of the corrugations is sufficient to impart a three-dimensional effect to the cross-laminate such that the strands appear to be spaced internally from the exterior surface of the film A a distance substantially greater than an actual maximum thickness of the film A.

However, Lappala ('389) teaches a laminate thickness at its thickest of about 0.3 mm (*See col. 3, ll. 34-35 and col. 2, l. 45 wherein the films are less than 0.015 in (0.381 mm).*), the main layer and the bonding layer of the film A are substantially transparent to enable the colored strands to be visible when the laminate is observed from one of the exterior surfaces of the cross-laminate (*See FIG-3, #2.*), where the spacing of the striations being at most about 3 mm (*See FIG-3, corrugations created by strands.*) the main layer and the bonding layer of the film A are substantially transparent to enable the colored strands to be visible when the laminate is observed from one of the exterior surfaces of the cross-laminate, and the depth of the corrugations being sufficient to

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impart a three-dimensional effect to the cross-laminate such that the strands appear to be spaced internally from the exterior surface of the film A a distance substantially greater than an actual maximum thickness of the film A (*See col. 2, l. 7.*), for the purpose of providing a laminate that is light and strong (*col. 1, ll. 25-28*).

FIG. 3



Therefore, it would have been obvious to a person of ordinary skill in the art the time of applicant's invention to provide such a spacing and configuration as taught by Lappala ('389) in Rasmussen (102) in order to provide a light and strong laminate.

ANSWERS TO APPLICANT'S ARGUMENTS

19. All previously elected claims have been canceled and replaced with new claims 123-148. Claim 123 is the only independent claim with a combination of limitations not previously presented. Thus, all claims have new combinations of limitations at least because of the new independent claim. All claims have new combinations of references cited as teaching the claims. Furthermore, Britton ('184) is no longer cited as a primary reference.

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20. In response to Applicant's arguments (*p. 21, paras. 1-2 of Applicant's Paper filed 7 April, 2008*) that Rasmussen ('102) does not teach a pattern, it is firstly noted that Applicant no longer teaches this limitation, thus, the argument is moot. Furthermore, Rasmussen ('102) does teach a pattern in the form of waves (*See p. 8, ll. 28-32.*).

21. In response to Applicant's arguments (*p. 21, para. 3 to p. 22, para. 1 of Applicant's Paper filed 7 April, 2008*) that Rasmussen ('102) does not teach strands, it is noted that the Examiner concurs and that is why other references are cited as teaching strands.

22. In response to Applicant's arguments (*p. 22, paras. 2-4 of Applicant's Paper filed 7 April, 2008*) that the strongest bonds in Applicant's invention are not at the interstices but rather where the strands cross each other which is contrary to Rogosch ('764), it is noted that this relative bonding strength is the same for Rogosch ('764) as the web of strands is formed prior to lamination with the other materials. Furthermore, Rogosch ('764) is cited for its reinforcement by the stranded web (*See col. 3, ll. 20-55.*).

Furthermore, Applicant's claims do not specify what is continuous and discontinuous in the claims.

23. In response to Applicant's arguments (*p. 24, paras. 1-4 of Applicant's Paper filed 7 April, 2008*) that Britton's ('184) strands are not bonded and do not teach the specified orientation, it is firstly noted that Britton's ('184) strands are clearly bonded to each other by the adhesive. Furthermore, Rasmussen ('102) is cited as teaching the orientation of the laminate, not Britton ('184). Britton ('184) is cited for teaching how strands are incorporated into multilayered laminates in a crossing manner as illustrated in FIGs 1 and 4.

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24. In response to Applicant's discussion (*pp. 25-29 of Applicant's Paper filed 7 April, 2008*) regarding the dependent claims and the other secondary references, it is noted that no further precise arguments are presented.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENT T. OHERN whose telephone number is (571)272-0496. The examiner can normally be reached on Monday, Tuesday and Thursday, 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on (571) 272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brent T O'Hern/
Examiner, Art Unit 1794
May 5, 2008

/Elizabeth M. Cole/
Primary Examiner, Art Unit 1794